

Notice of Allowability

Application No.

10/679,126

Examiner

Jean F. Vollano

Applicant(s)

EDWARDS ET AL.

Art Unit

1621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 18-29 and 42-46.
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
 - * Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 10/3/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 4/16/2004.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

Jean F. Vollano
Primary Examiner
Art Unit: 1621

DETAILED ACTION

1. The election has been entered. Applicant has stated that claims 1-17 , 30-41 and 47-54 were cancelled. Applicant has supplied the examiner with a copy of the amended claims and the original claims. The restriction is withdrawn since the remaining claims would be searched together in what was Group III. There was no pre amendment and the examiner only found the claims presented as original. However upon reexamination the transmittal of new application form specifically states that claims 1-17, 30-41 and 47-54 should have been canceled. They were apparently inadvertently not canceled. The examiner re numbered original copy of the claims which contained 1-54 claims under rule 126 since there were two number 40, and 41. Applicant has not renumber the claims. However the claims that contained multiple numbers have been canceled and the amended copy presented has all the correct claims left. Since claims 1-17, 30-41 and 47-54 were canceled before examination , the examiner will work with the amended claims given and the numbers given. Please review any of the other copending applications for numbering problems in the claims.

Priority

2. The transmittal of new application has a section which states that the specification should be amended by inserting in the first line of the specification that the application is a divisional of Application serial no. 10/025,080 filed December 19, 2001, the entire disclosure of which is hereby incorporated by reference, which claims the benefit of U.S. provisional Application No. 60/257,670 filed December 21, 2000, the entire disclosure of which is hereby incorporated by

Art Unit: 1621

reference. This meets the requirement of placing the continuing data in the first sentence of the specification.

3. The examiner notes that the PTO 1449 has the majority of US patents drawn to zeolites and alpha olefin production. There seemed to be no sulfate esters in the US patents. The foreign patents and the section entitled other documents were not submitted with the PTO 1449 according to the record and therefore will not be considered except for Wang et al Synett and Volkov Dokl Chem which were both submitted in the parent application.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr Donald F Haas on April 16, 2004.

The application has been amended as follows:

In claim 18 line 4 of the claim after the word hydrocarbyl the word " radical" has been deleted and replaced with the word -- group --.

In claim 18, line 5 of the claim after the word hydrocarbyl the word " radical" has been deleted and replaced with the word -- group --.

In claim 18, line 6 of the claim after the word alkylene the word “ radical” has been deleted and replaced with the word -- group --.

In claim 19, line 2 of the claim the first word of line two which is “radical” has been deleted and replaced with the word -- group --.

In claim 20, line 2 of the claim the first word of line two which is “radical” has been deleted and replaced with the word -- group --.

In claim 24, line two of the claim after the word hydrocarbyl the word “ radical” has been deleted and replaced with the word -- group --.

In claim 27, line two of the claim after the word hydrocarbyl the word word “ radical” has been deleted and replaced with the word -- group --.

Allowable Subject Matter

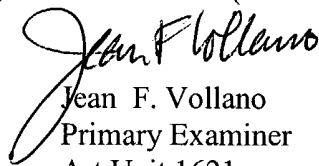
The following is an examiner’s statement of reasons for allowance: The prior art including US 4,885,379, US4,814,514, US 3,875,202 an CA:129:277 693 teaches compounds which are sulfate or sulfonate esters which have as a portion of the ester an ether linkage and which are surfactants. However the prior art does not anticipate or suggest the composition being claimed in instant claim 1 or its dependent claims .

4. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean F. Vollano whose telephone number is 571-2720648. The examiner can normally be reached on Monday-Thursday 6:30 - 5:00.

6. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Johann Richter can be reached on 571-272- 0646. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Jean F. Vollano
Primary Examiner
Art Unit 1621

April 16, 2004